

Appl. No. : 10/659,613
Filed : September 10, 2003

REMARKS

In the Office Action mailed August 3, 2004, Claims 1-5 were rejected under 35 U.S.C. § 102(b) as being anticipated by Martin et al. (U.S. Patent No. 1,099,262; hereinafter "Martin") and Anthony (U.S. Patent No. 894,359). Claims 6-14 and 16-30 were rejected under 35 U.S.C. § 103(a) as obvious over Samad (U.S. Patent No. 5,984,555), Martin and Anthony. Claim 15 was rejected under 35 U.S.C. § 103(a) as obvious over Samad, Martin and Anthony in view of Cansler et al. (U.S. Patent No. 5,195,546; hereinafter "Cansler").

Claims 31-35 are withdrawn from further consideration pursuant to 37 C.F.R. § 1.142(b) as being drawn to a nonelected species, and have been canceled. Claim 1 has been amended, and new Claims 36-40 are added for consideration. Accordingly, Claims 1-30 and 36-40 are currently pending in the present application.

Restriction Requirement

Applicant would like to thank Examiner Chaudhry for the courtesies extended to Applicant's representative during the phone conversation conducted on July 23, 2004. Applicant affirms its election without traverse to prosecute Group I, Claims 1-30. Claims 31-35 have been withdrawn and canceled.

Title

The Examiner stated the title of Applicant's invention was not descriptive. Applicant has amended the title as indicated above, and respectfully requests withdrawal of this objection.

Abstract

The Examiner objected to the Abstract of the Disclosure stating it was directed to an apparatus and not to a method. Applicant has submitted an amended Abstract as indicated above, and respectfully requests that this objection be withdrawn.

Rejections under 35 U.S.C. § 102(b)

The Examiner has rejected Claims 1-5 as being anticipated by Martin and Anthony. The Examiner stated that both Martin and Anthony separately disclose all the steps for cleaning the

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location as claimed by the Applicant. Applicant traverses the Examiner's rejection and the characterization of the cited reference.

Martin discloses a device "particularly to be used for cleaning the type of typewriters, letter presses, or other writing and printing machines, as well as printers' forms." The device includes a reservoir for a cleansing fluid such as gasoline.

Anthony discloses a device for sweeping a dust laden surface. The dust laying broom taught by Anthony includes a reservoir for a liquid used to dampen the strands of the broom so that the damp strands may better collect dust.

Applicant's Claim 1, by contrast, recites, inter alia, a method for sanitizing a location by providing a disinfectant solution and applying a cleaning surface in contact with the disinfectant solution against the location. Nowhere does Martin or Anthony teach or suggest a disinfectant solution as recited by Applicant's Claim 1. Accordingly, Applicant submits that the rejection of Claim 1 by Martin and Anthony be withdrawn. Applicant further submits that dependent Claims 2-5 and 36-40 teach a unique combination of features not taught or suggested by the cited art, and that these rejections should be withdrawn as well.

Obviousness Rejections

Claims 6-14 and 16-30 were rejected as obvious over Martin or Anthony as discussed above, and further in view of Samad. Applicant respectfully submits that it would not be obvious to one of ordinary skill in the art to combine the invention taught by Samad with the inventions taught by Martin and Anthony.

One of ordinary skill in the art would not seek to modify the Samad dual toilet brush, which is designed for cleaning both the interior surface of a toilet bowl and the overhanging rim at the same time, to include a body having a first orifice positioned adjacent to a distal end of the body and a second orifice positioned on the body for regulating pressure within the internal reservoir, as in Claim 6. Similarly, one of skill in the art would not seek to modify the Samad toilet brush to include an exit orifice at a distal end of an internal reservoir and a hole provided adjacent a proximal end of the internal reservoir for regulating pressure within the internal reservoir, as in Claim 22. Applicant submits that there is simply no teaching or motivation in any of the references that the structures disclosed in Martin and Anthony, specifically a typewriter

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cleaner and a dust laying broom, can be incorporated into the device disclosed in Samad. Neither Martin nor Anthony mention any applicability of their devices to cleaning a toilet. Moreover, nowhere does Samad teach or suggest the need or desirability of preventing spilling or leakage, as suggested by the Examiner, let alone that such a problem could be overcome by looking to art teaching typewriter cleaners or dust laying brooms.

Applicant further submits that it would not be obvious to one of ordinary skill in the art to use a typewriter brush, as disclosed in Martin, or a dust laying broom, as disclosed in Anthony, for cleaning a toilet. A typewriter brush as taught in Martin is designed for cleaning smaller crevices, as in a typewriter, and would be completely unsuitable for effectively cleaning a toilet. Moreover, the cleaner disclosed in Martin, gasoline, would be unsuitable for cleaning a toilet. The broom as taught in Anthony is designed for cleaning dust on larger flat surfaces. The shape of the broom disclosed in Anthony would be impractical for effectively cleaning a toilet. Therefore, Applicant submits that one of ordinary skill in the art would not think to use or incorporate the structures disclosed by Martin or Anthony for cleaning a toilet.

Applicant thus respectfully requests that the rejection of Claims 6-14 and 16-30 be withdrawn.

Claim 15 was rejected as being unpatentable over Samad, Martin and Anthony, and in view of Cansler et al. (U.S. Patent No. 5,195,546; hereinafter, "Cansler"). In view of the lack of motivation to combine Martin and Anthony with Samad as discussed above, Applicant further submits that it is improper to combine the four prior art references asserted by the Examiner to render obvious the invention of Claim 15.

Applicant therefore submits that amended Claims 6-30 are not rendered obvious by Martin, Anthony, Samad and Cansler and respectfully requests that the rejection of these claims on that basis be reconsidered and withdrawn.

New Claims

Applicant has added new Claims 36-40 which define over the prior art of record and are thus believed to be in condition for allowance. Accordingly, Applicant respectfully requests immediate allowance of these claims.

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Conclusion

Applicant respectfully requests that the rejection of Claims 1-30 and 36-40 be reconsidered and withdrawn, and that these claims be allowed. The Examiner is requested to call the undersigned Attorney if the Examiner has any questions.

Respectfully submitted,

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